Claim 12 has been amended as suggested in the Office Action, changing the second "component" to second "agent". Applicants believe the substitution of the word "agent" for "component" does not affect the scope or change the meaning of the claim. Claims 14, 17-18, and 29-39 have been cancelled, so the rejection attributable to these claims is moot.

Because Applicants have complied with the Office Action's express recommendation, Claim 12 as amended is now believed to comply with 37 U.S.C. §112, and thus overcomes this rejection.

The paragraph 7 rejection

Claims 12-14, 17-21, and 29-39 have been rejected under 35 U.S.C. §112, first paragraph, for lack of enablement. Before addressing the specific points of the rejection, Applicants seek a point of clarification. Claims 13 and 19-21 were canceled in the previous response, and because the Office Action indicates that the previous amendment was entered, the list of claims under this rejection cannot be correct. Accordingly, Applicant's response as follows is restricted to claims 12, 14, 17-18, and 29-39.

Claims 14, 17-18, and 29-39 are now canceled, and the subject matter of those claims have been incorporated into amended claim 12.

The Office Action states that it is not clear in claim 12 "how the recited method allows the second component to bind to the binding agent." In response, but without conceding the propriety of the rejection, Applicants have amended the description of the binding agent in claim 12 to affirmatively recite a first component and a second

component, and define the second component as comprising biotin. Furthermore, claim 12 affirmatively recites administering an anti-ligand, and defines the second agent as comprising a second ligand.

These are all the well known structural elements for binding the binding agent to the second agent. The elements and their use are thoroughly described in the present specification, at, for example: claim 1; claim 18; claims 33-39; page 13, lines 11+; page 20, lines 8-11; Example 4; Example 7; and Example 8, among many other places throughout the specification and claims as originally filed. Furthermore, the specific types of linkages are well known in the art, structurally and functionally.

The Office Action makes this same rejection against the combination of claims 12, 14 and 33. For the reasons noted above, this portion of the rejection has now been addressed in amended claim 12, and is moot as to the other claims.

The Office Action makes this same rejection against the combination of claims 12, 17 and 36. For the reasons noted above, this portion of the rejection has now been addressed in amended claim 12, and is moot as to the other claims.

The Office Action makes this same rejection against the combination of claims 12 and 18. For the reasons noted above, this portion of the rejection has now been addressed in amended claim 12, and is moot as to the other claim.

The Office Action makes this same rejection against the combination of claims 12, and 29-32. For the reasons noted above, this portion of the rejection has now been addressed in amended claim 12, and is moot as to the other claims.

Concerning claims 12 and 34, the Office Action states that "there is no recitation that the anti-ligand binds the second component." Claim 12 as now amended includes

"... said second agent comprising a second ligand for binding said anti-ligand ..." For the reasons noted above, this portion of the rejection has now been addressed in amended claim 12, and is moot as to the other claims.

The Office Action makes this same rejection against the combination of claims 12, 34 and 35. For the reasons noted above, this portion of the rejection has now been addressed in amended claim 12, and is moot as to the other claims.

The Office Action makes this same rejection against the combination of claims 12, 34 and 37. For the reasons noted above, this portion of the rejection has now been addressed in amended claim 12, and is moot as to the other claims.

The Office Action makes this same rejection against the combination of claims 12, 34, 37, and 38. For the reasons noted above, this portion of the rejection has now been addressed in amended claim 12, and is moot as to the other claims.

Applicants reiterate that the amendments to the claims for this rejection are made without prejudice and should not be taken as acquiescence of the validity of the reasoning or propriety of the rejections or the underlying reasons given in support of the rejection. The Examiner has previously indicated that patentable subject matter exists in this application, combined with the urgency of Applicants business needs, applicants' amendments are intended to achieve a notice of allowance as soon as possible. Applicants have already filed a continuation application, U.S. Serial No. 10/101,731, to address these issues and to expedite the issuance of a notice of allowance in this application.

<u>The paragraph 8 rejection</u>

Claims 12-14, 17-21, and 29-39 have been rejected under 35 U.S.C. §112, first

paragraph, for written description. Since claims 13 and 19-21 were canceled in the previous response as noted above, it is believed that the intended claim grouping is claims 12, 14, 17-18, and 29-39, and Applicant's response as follows is restricted to those claims.

Claim 12 has now been amended to include the "specific combination" noted in the office action. It is therefore respectfully suggested that claim 12 is in condition for allowance. The remaining claims have all been canceled.

The amendments to the claims for this rejection should not be taken as acquiescence of the validity of the reasoning or propriety of the rejections or the underlying reasons given in support of the rejection. As early as the June 2001 interview, the Examiner has indicated that this application discloses patentable subject matter. Any issues relating to the prior art, the scope and content of the claims, and the written description may be addressed in Applicants' continuation application, U.S. Serial No. 10/101,731.

Briefly, however, to sustain a written description rejection, the Office Action must show that the claimed subject matter is not adequately described by the specification. Here, Applicants' specification is replete with both broad and specific examples of ligands, anti-ligands, and binding agents encompassed by the claims, and these elements of the claims are extremely well known to those of ordinary skill in the art. Applicants concede that there are many combinations that would be effective in performing Applicants' claimed invention. But Applicants are not obligated to teach that which is already known, nor are they obligated to disclose each and every possible combination.

For xample, the ligand, anti-ligand, and binding agent, alone and in combination, are described at page 13, lines 11+; page 20, lines 8-11; Example 4; Example 7; and Example 8, among many other places throughout the specification and claims as originally filed.

Applicants therefore respectfully request that claim 12 is allowable over all of the rejections in this Office Action.

If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney at 301-203-6300 (a local call).

Respectfully submitted,

June 20, 2002

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Certificate of Mailing by facsimile (37 CFR 1.8): *I hereby certify that this response and redline copy of claims is being transmitted to Examiner DeCloux (fax number 703-746-4982) on 20 June 2002.*

William J. Bundren
typed name of person mailing correspondence

Signature of person faxing correspondence

Red-line copy of all claims:

12 (four times amended). A method of inducing a thrombus in vivo comprising:
administering a binding agent having a first component for binding the binding agent to a pre-selected site and a second component for binding the antibody to a second agent, said second component comprising a first ligand comprising biotin, wherein said binding agent is one or more binding agents selected from the group consisting of an antibody and an antigen binding fragment thereof, wherein the pre-selected site is a site selected from the group consisting of tumor-associated antigens and tumor-specific antigens;
administering an anti-ligand for binding to said first ligand, wherein the anti-ligand is an anti-ligand selected from the group consisting of avidin, streptavidin, neutravidin, and derivatives and analogs thereof;
administering a second [component] agent comprising von Willebrand factor, said second [component] agent specifically binds platelets, said second agent comprising a second ligand for binding said anti-ligand, and allowing the second [component] agent to bind to the binding agent;
binding platelets on the second agent;
inducing activation of the platelets; and thereby
allowing a thrombus to form.

13 – 39 CANCELLED